

Exhibit F



[REDACTED]

U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 28, 2018

BY HAND

[REDACTED]

Sabrina Shroff, Esq.
Matthew Larsen, Esq.
Federal Defenders of New York
52 Duane Street
New York, NY 10007

Re: United States v. Joshua Schulte,
S1 17 Cr. 548 (PAC)

Dear Counsel:

Pursuant to our obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, we write to provide you with the following information. In addition, because this information is also relevant to search warrant affidavits related to searches of the defendant's apartment and email account, we are identifying portions of the affidavits to which this information relates. For ease of reference, the Government has identified, and, where appropriate, underlined, the parts of the affidavits that are impacted by this disclosure. This letter and the information contained herein are classified as "SECRET/NOFORN" pending further classification review, and are being provided to you pursuant to the Classified Information Protective Order (the "CIPO") entered by the Court. The Government also reserves the right to supplement or modify any of the information relayed in this letter.

As you are aware, as part of its discovery production to the defense, the Government has produced several search warrants and supporting documentation. The search warrant production included, among other things, (a) a March 13, 2017 search warrant related to the search of the defendant's apartment and the supporting affidavit executed by Special Agent Jeff D. Donaldson (the "March 13, 2017 Affidavit"); and (b) a May 17, 2017 search warrant related to the search of the defendant's Gmail account and the supporting affidavit executed by Special Agent Donaldson (the "May 17, 2017 Affidavit," and together with the March 13, 2017 Affidavit, the "Affidavits"). After the Affidavits were sworn out during an early part of the investigation,

S [REDACTED] PENDING CLASSIFICATION REVIEW

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WikiLeaks continued to post online leaked classified information that purported to originate in the Central Intelligence Agency (the "CIA").

1. The March 13, 2017 Affidavit

With respect to the March 13, 2017 Affidavit, the Government notes the following:

Affidavit Citation	Language in Affidavit	Note
Pg. 5, ¶ 8(b)	“(Moreover, as described in detail below, only <u>three</u> of those approximately 200 people who worked for the CIA Group had access to the specific portion of the Group’s computer network on which the Classified Information was likely stored.)”	Based on further investigation, the Government notes that, in or about March of 2016, at least five of the 200 employees of the CIA Group had access to the specific portion of the Group’s computer network on which the Classified Information was likely stored.
Pg. 8 Heading D	“D. TARGET SUBJECT JOSHUA ADAM SCHULTE was One of Only <u>Three</u> Employees Across the Entire CIA Who, in March 2016, Had Been Given System Administrator Access to the Back-up Server.”	Schulte was not himself an administrator of the Back-Up Server. However, Schulte was one of the System Administrators who had access to the volume within the Back-up Server that stored the backups.
Pg. 9, ¶ 12	“I know, based on my conversations with other law enforcement agents and others, in approximate March 2016—the month when the Classified Information is assessed to have been copied—only <u>three</u> CIA employees were designated System Administrators with access to the CIA Group’s Back-Up Server.”	


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Pg. 9, ¶ 12(a)	"TARGET SUBJECT JOSHUA ADAM SCHULTE ('SCHULTE') was one of the <u>three</u> System Administrators."	
Pg. 9, ¶ 12(b)	"As described above, in March 2016, SCHULTE was one of only <u>three</u> CIA employees throughout the entire CIA who had authorized access to the CIA's Group's Back-Up Server from which the Classified Information was likely copied."	
Pg. 10, ¶ 12(b)(iii)	"Thus, SCHULTE was the only one of the <u>three</u> Systems Administrators with access to the Classified Information on the Back-Up Server who was not publicly identified via WikiLeaks publication of the Classified Information."	
Pg. 10, ¶ 12(c)	"The other <u>two</u> individuals who served in March 2016 as Systems Administrators for the CIA Group's LAN remain employed by the CIA. SCHULTE resigned from the	

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Pg. 11, ¶ 13(d)	<p>CIA in November 2016, as described in detail below.”</p> <p>“As described above, in March 2016, only <u>two</u> CIA employees in addition to SCHULTE were designated Systems Administrators with access to the CIA Group’s Back-Up Server from which the Classified Information was likely copied.”</p>	
Pg. 11, n.5	<p>“On March 7 and 8, 2016, the <u>third of the three</u> CIA employees with Systems Administrator access was located at a CIA facility that did, in fact, have access to the Back-Up Server from which the Classified Information was likely copied.”</p>	
Pg. 5, ¶ 8(c)(i)	<p>“The Classified Information appears <u>to have been stolen from the CIA Component sometime between the night of March 7, 2016 and the night of March 8, 2016.</u>”</p>	<p>The March 13, 2017 Affidavit disclosed that the analysis as to when the Classified Information was illegally copied from the LAN was preliminary, and that the information could have been copied after March 8, 2017.</p>
Pg. 5, ¶ 8(c)(ii)	<p>“Because for the reasons described below (<i>see infra</i> Part C.10), the Classified Information was apparently copied from an automated daily back-up file, it is likely</p>	<p><i>See</i> March 13, 2017 Affidavit, p. 5, n.1.</p> <p>Since the March 13, 2017 Affidavit was sworn out,</p>

Pg. 8, ¶10(e)	<p>that the Classified Information was copied either <u>late on March 7, 2016 (after the March 7 nightly back-up was completed) or on March 8, 2016 (before the March 8 nightly back-up was completed.</u>”</p> <p>“As described above (see supra Part II.A.8.c), because <u>the most recent timestamp associated with the Classified Information appears to be March 7, 2016</u>, it is likely that the Classified Information was <u>copied from the Back-up Server after the daily back-up on March 7, 2016.</u>”</p>	<p>WikiLeaks has made public additional classified information purporting to be from the CIA Group on several occasions, including as recently as November 2017. These additional leaks have provided further information about the nature of the information disclosed by WikiLeaks, including the locations on the LAN where the information was stored and the date of the information.</p> <p>Through further investigation, the Government has learned that – in fact – the Classified Information was illegally accessed on or about April 20, 2016. In addition, further analysis of the leak shows that the last timestamp of the Classified Information is on or about March 2, 2016.</p>
Pg. 6, ¶ 8(d)	<p>“The Classified Information was publicly released by WikiLeaks exactly one year to the day (March 7, 2017) from the latest date associated with the Classified Information (<u>March 7, 2016</u>).”</p>	
Pg. 10, ¶ 13	<p>“As described above (see supra Part II.C.10), it appears likely that the Classified Information <u>was copied between March 7 and March 8, 2016.</u>”</p>	

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Pg. 5, ¶ 8(c)(ii)	“Because, for the reasons described below (see <i>infra</i> Part C.10), the Classified Information was apparently copied from an <u>automated</u> daily back-up file”	An automated script was used to back up files to the Backup Server. The script, however, had to be manually initiated.
Pg. 8, ¶ 10(a)	“Approximately each day, an <u>automated</u> process would back-up data to the Back-Up Server.”	
Pg. 8-9, ¶ 11	“Based on my conversations with other law enforcement agents and others, my review of documents, and my training and experience, I know that the CIA Group’s LAN was designed such that <u>only those employees who were specifically given a particular type of systems-administrator access (“System Administrators”) could access the Back-Up Server.</u> ”	As the March 13, 2017 Affidavit discloses, it was possible for an employee who was not designated a “Systems Administrator” to access the Back-Up Server. <i>See</i> March 13, 2017 Affidavit, p. 9 n.4. The Back-Up Server itself required login credentials. Since log data going back to the relevant time period is no longer available, however, it could not be determined whether or not users beyond those designated as System Administrators were able to access the backups. . The Government notes that the Group’s LAN was structured such that specific employees were tasked with knowing how to access and maintain the Backup Server.
Page 9, ¶ 11(a)	“System Administrators were given a particular username and password in order to log on to and access the Back-Up Server.”	

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Pg. 10, ¶ 12(b)(ii)	"SCHULTE's name, on the other hand, was not apparently published in the Classified Information."	The username used by the defendant to access the LAN was published by WikiLeaks.
Pg. 12, ¶ 14	"Based on my conversations with other law enforcement agents and others, and my review of documents, I understand that, on or about <u>April 4, 2016</u> , around the time of his reassignment to another branch within the CIA Group, many of <u>SCHULTE's administrator privileges on the LAN were revoked and he was no longer permitted to serve as a Systems Administrator in the CIA Group's LAN.</u> "	Employees with the CIA Group officially attempted to remove the defendant's system administrator rights on or about April 16, 2016.
Pg. 12, ¶ 14(a)	"At the same time, on or about April 4, 2016, <u>SCHULTE's computer access to a specific developmental project ("Project-1") was also revoked.</u> Until his reassignment SCHULTE had been the CIA Group employee with principal responsibility for Project-1."	On or about April 4, 2016, Schulte's administrator access to Project-1 and another project ("Project-2") was revoked. Schulte retained read access to these projects after this date.
Pg. 12, ¶ 15	"Based on my conversations with other law enforcement agents and others, and my review of documents, I understand that, less than two weeks later, on or about <u>April 11, 2016</u> , SCHULTE unilaterally, and without authorization, logged onto the CIA Group's LAN and	On or about April 14, 2016, Schulte unilaterally, and without authorization, logged onto the CIA Group's LAN and reinstated his access privileges to Project-2.

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	reinstated his own administrator privileges.”	
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2. The May 17, 2017 Affidavit

With respect to the May 17, 2017 Affidavit, the Government notes the following:

Affidavit Citation	Language in Affidavit	Note
Pg. 12, ¶ 15(d)	“Based on a preliminary analysis of the timestamps associated with the latest (or most recent) creation or modification date associated with the Classified Information, it appears that the Classified Information <u>was copied from the LAN in or about March 2016.</u> ”	As noted above, the Government’s further investigation has revealed that the Classified Information was illegally copied on or about April 20, 2016. The latest timestamp of the information illegally copied and disclosed by WikiLeaks was in early March 2016.
Pg. 13, ¶ 16(b)	“As part of his responsibilities with the CIA Group, in or about March and early April 2016, SCHULTE was one of <u>three</u> system administrators for the LAN.”	The May 17, 2017 Affidavit notes that the analysis of which CIA employees had access to the Classified Information – including users who had so-called “super-user” access – was ongoing and subject to modification. See May 17, 2017 Affidavit, p. 13 n.5.
Page 13, ¶ 16(c)	“These <u>three</u> systems administrators also had ‘super-user’ access to the LAN, which allowed them broader access to programs, files, and servers.”	Based on further investigation, the Government notes that at least five of the 200 employees of the CIA Group had access to the specific portion of the Group’s computer network on which the Classified Information was likely stored.

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Page 14, ¶ 17(c)	“The other <u>two</u> individuals who served in March 2016 as systems administrators for the CIA Group’s LAN remain employed by the CIA. SCHULTE resigned from the CIA in November 2016, as described in detail below.”	
Pg. 17, ¶ 23(a)	“On or about April <u>11</u> , 2016, approximately one week later, SCHULTE unilaterally, and without authorization, logged onto the CIA Group’s LAN and reinstated his own administrator privileges.”	On or about April 14, 2016, SCHULTE, unilaterally and without authorization, logged onto the LAN and reinstated his privileges to Project-2.
Pg. 19, ¶ 25	“Based on my review of the Google Searches, I understand that on or about April 15, 2016, SCHULTE conducted the following Google Search relating specifically to software running on the CIA Group’s LAN: ‘[] admin view restricted pages.’ After conducting the search, SCHULTE visited websites <u>that related to ways to restrict the ability of even other Systems Administrators to view aspects of the LAN.</u> (SCHULTE conducted the same search again thirteen days later, on or about April 28, 2016.)	The Google Search and websites referred to in this paragraph could pertain to access restrictions that had been put in place.
Pg. 20-21, ¶ 27(d)	“On or about April 28, 2016, SCHULTE again conducted a	The April 15, 2016 Google Search referred to in this

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	Google Search relating specifically to software running on the CIA's Group's LAN: "[] admin view restricted pages," which was identical to the Search, described above, he conducted on April 15, 2016, <u>four</u> days after restoring his own administrator access to that very software program without authorization."	paragraph occurred one day after the defendant restored his access to Project-2.
Pg. 23, ¶ 29(c)	"Starting two days later, May 6, 2016, and again on May 8, 2016, SCHULTE conducted multiple Google searches apparently designed to research anonymous transmission of data on the Internet, through the use of so-called 'private trackers,' which are non-public Internet sites set up to privately transfer large quantities of data from one computer to another, as well as through 'The Onion Router' or 'TOR,' which allows for anonymous communications on the Internet via a worldwide network of linked computer servers, and multiple layers of data encryption."	"Private trackers" are non-public Internet files that provide/facilitate access to "torrents," which facilitate peer-to-peer transfer of files.

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As noted, the Government's investigation is ongoing, and it reserves the right to supplement or modify this disclosure. Should you have any questions, please do not hesitate to contact us.

Sincerely,

GEOFFREY S. BERMAN
United States Attorney

By: _____/s/_____
Matthew Laroche/Sidhardha Kamaraju
Assistant United States Attorney
Tel: (212) 637-2040/6523

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